



**CITY OF SCOTTSDALE HOUSING BOARD  
REGULAR MEETING  
COMMUNITY DESIGN STUDIO  
7506 E. INDIAN SCHOOL ROAD  
SCOTTSDALE, ARIZONA 85251  
MARCH 10, 2011**

**SUMMARIZED MEETING MINUTES**

**PRESENT:** Joe Campodall'Orto, Chair (left at 6:04 p.m.)  
Nancy Cantor, Vice-Chair  
Kathleen Puchek, Board Member  
Harold Roth, Board Member  
Fred Shapiro, Board Member  
Nick Thomas, Board Member (left at 6:31 p.m.)

**ABSENT:** Daniel Gottlieb, Board Member

**STAFF:** Raun Keagy, Citizen & Neighborhood Resources Director  
Luis Santaella, Senior Assistant City Attorney

**CALL TO ORDER/ROLL CALL**

Chair Campodall'Orto called the regular meeting of the Scottsdale Housing Board to order at 5:42 p.m. A formal roll call confirmed the members present as stated above.

**1. REVIEW AND APPROVE MINUTES FEBRUARY 17, 2011 MEETING (Action Item)**

Board Member Thomas opined that there was no such thing as an inverse condemnation as referenced in the seventh paragraph on page 5 of the February 17, 2011 minutes. Chair Campodall'Orto confirmed that the comment was just a clarification and not a correction to the minutes.

**BOARD MEMBER ROTH MOVED TO APPROVE THE FEBRUARY 17, 2011  
REGULAR MEETING MINUTES, BOARD MEMBER THOMAS SECONDED THE**

**MOTION, WHICH CARRIED BY A VOTE OF SIX (6) TO ZERO (0). BOARD MEMBER GOTTLIEB WAS ABSENT.**

**2. DISCUSSION AND POSSIBLE BOARD ACTION ON THE DRAFT ORDINANCE AMENDING THE PURPOSE, POWERS & DUTIES OF THE HOUSING BOARD  
(Discussion and Possible Board Action)**

Board Member Thomas made a motion to approve the draft ordinance as presented, stating that it was exactly what the Board agreed upon during its work study session. Vice-Chair Cantor disagreed, recalling that the Board had discussed a desire to become the sole body that deals with housing issues including CDBG and HOME funding.

Discussion ensued regarding whether the Board was ready to approve the draft ordinance amending its purpose, powers and duties. Board Member Thomas withdrew his motion to approve the draft ordinance.

Mr. Santaella recommended that the Board develop a mission statement, have a discussion with City Council members regarding their vision of the Board's purpose, and finalize the ordinance before bringing it to City Council for adoption. He summarized that the Board must determine what its purpose is in order to obtain City Council's buy-in before updating its ordinance and thereafter drafting a mission statement to be included in its bylaws.

Mr. Keagy explained that the July 23, 2009 Housing Board Statement of Purpose was given to Mr. Santaella in order to draft an ordinance. He suggested that Mr. Santaella explain what was added to the draft ordinance, what was deleted, and why.

**City Council Meeting Summary**

At the suggestion of Board Member Thomas that he update Board Member Puchek, Mr. Keagy recalled that at Tuesday's City Council meeting, staff reported that based on the number of items brought to City Council for action some boards and commissions are more effective than others.

He elaborated that the Housing Board, Neighborhood Enhancement Commission, Scottsdale Pride Commission, Library Board, and Environmental Quality Advisory Board were deemed to be less effective than the other existing boards and commissions. Council discussed possibly collapsing and/or combining some of the boards and commissions, especially groups which have overlapping roles (i.e. the Housing Board and the Neighborhood Enhancement Commission).

Mr. Keagy stated that City Council directed staff to study all of the boards and commissions further in order to bring back a report that demonstrates whether the non-mandated entities are still viable and should continue as an integral part of the City's governmental body. He elaborated that the Planning Commission, Development Review Board, Loss Trust Fund Board, and the Public Safety Personnel Retirement Boards are all mandated entities. Mr. Santaella pointed out that Council also discussed making some boards ad hoc which would meet on an as needed basis.

**Draft Ordinance Discussion**

Mr. Keagy opined that the Mayor or City Council members must become a champion of the Board's desire to change its purpose, powers, and duties in order for it to be agendized for a future City Council meeting.

Board Member Thomas stated that the burden was placed on the Board to prove to City Council that it was still a relevant board.

In response to Board Member Roth's inquiry regarding whether the July 23, 2009 Housing Board Statement of Purpose was presented to City Council, Mr. Keagy confirmed that it had not been presented due to its conflicts with the present ordinance.

Board Member Shapiro stated during the work study session staff informed the Board that its duties overlap with those of the Neighborhood Enhancement Commission and Human Services Commission.

Mr. Santaella recommended removing some of the overlapping within the Housing Board's purpose, powers and duties as well as changing its name to the Housing Commission. He cautioned the Board that its Statement of Purpose must not infringe on other boards' and commissions' duties.

Mr. Keagy explained that if the Board desires to review all development projects with a housing component before they are scheduled for review by the Planning Commission and Development Review Board, that would require an amendment to the zoning ordinance. He opined that there would be no support for such an action.

Board Member Shapiro inquired whether there was a way for the Board to assess the implementation of affordable or workforce housing within new developments before being approved by the Planning Commission in order to address housing for the aging and young population within the City of Scottsdale.

Mr. Santaella stated that a text amendment to the zoning ordinance would require City Council authorization.

Board Member Puchek recommended that any projects with housing components shall be presented to the Housing Board for input to City Council. Mr. Santaella explained that currently projects would be presented to the Housing Board for input. He pointed out that they could not mandate that projects with housing components be presented to the Housing Board.

Board Member Thomas opined that a mandated function where Council would expect a recommendation from the Board would demonstrate its purpose. This would be fundamentally different from "review and comment."

Board Member Puchek said it is logical to assume that if City Council decides to keep Housing as an advisory board, they must give it some type of authority. Board Member Shapiro suggested removing the word "advisory."

A lengthy discussion ensued regarding how the Board could be relevant other than researching housing issues and making recommendations to City Council.

Board member Shapiro suggested that the Board be educated by housing professionals about current issues that need addressing so they can solicit community involvement to address such issues.

Board Member Roth argued that if City Council is not interested in affordable housing or the retention of housing stock there is no need for the Housing Board to exist.

Mr. Keagy stated that Board's current purpose, powers and duties gives it the authority to recommend that workforce housing be a required component of every new housing development within the City of Scottsdale as follows:

"Review current conditions and make recommendations to the City Council regarding objectives for the mix and affordability of housing stock in the City of Scottsdale."

Vice-Chair Cantor expressed her concerns that nobody from the City discussed with the Housing Board the Gray Development project that had an affordability element with in lieu funding.

Mr. Keagy explained that now that the Gray Development project has been continued indefinitely, the Board could send a memo to City Council recommending that the Blue Sky Development project include a component that addresses workforce housing.

Mr. Santaella suggested that the Board assist City Council with defining a broader policy rather than just working on one project at a time. He stated that the fundamental reason advisory bodies were formed was that the City wanted each group to study and research topics in order to transmit general findings to spark possible policy discussions.

Discussion ensued regarding the Board's frustration with the City's elected officials lack of response to its recommendations.

Board Member Thomas opined that programs related to housing or economic development are not feasible without a mandate from the top.

#### **Recommended Changes to the Draft Ordinance**

Mr. Santaella presented copies of the Board's existing ordinance stating that it was revised in 2005. Vice-Chair Cantor explained that she merged the relevant portions of the July 23, 2009 Housing Board Statement of Purpose with the Draft Ordinance prepared by Mr. Santaella.

Mr. Santaella pointed out that in 2009 the Board specifically wanted to include the Human Services Commission (HSC) in its Statement of Purpose and that during today's work study session the Board discussed eliminating the HSC.

He stated that the oversight element was deleted because such a power would conflict with the duties of City Council, the City Manager, and some of the other boards and commissions.

Mr. Santaella explained that he rewrote subsection (A)(2) to read as follows:

"Provide recommendations to City Council on pending changes to the housing element of the General Plan."

He stated that the Housing Board has always had the authority to make recommendations on housing issues, noting that he rewrote (A)(3)(e) to read as follows:

"Other housing related issues and matters as the City Council may direct."

Mr. Santaella elaborated that they need to keep the Housing Board from becoming a mini Planning Commission. Board Member Roth argued that the language should state "provide recommended changes to the housing element."

Board Member Shapiro suggested replacing the word "pending" with "proposed." Mr. Santaella stated that "pending" calls out changes that have already been proposed by another entity.

Mr. Santaella explained that he rewrote subsection (A)(1) to read as follows:

"Study current city-wide housing issues and make recommendations to preserve, conserve, and upgrade existing housing stock through rehabilitation, adaptive reuse, and renovation and to enhance neighborhood stability and diversity."

Board Member Roth commented that subsection (A)(1) already covers the Housing Board coming up with recommendations as well as reacting to other entities' recommendations.

Mr. Santaella stated that the deletion of "City Council" and "pending changes to" and the insertion of "may" at the beginning would eliminate the view of mandating the action. He suggested changing subsection (A)(2) to read:

"May make recommendations on the housing element of the General Plan."

Vice-Chair Cantor inquired how the Housing Board could ensure that when an applicant files their pre-application packet they address the elements within the character area they want to develop as well as the general plan.

Board Member Roth stated that it was not the purview of the Housing Board to mandate something on a proposal, but rather to make a recommendation on affordable or workforce housing.

Board Member Puchek explained that since City Council approved their Five-Year Plan and committed to the federal government that they would create low income housing, they must back up their commitment.

Mr. Keagy recalled that the Housing Board sent a memo to the Downtown Taskforce recommending that workforce housing be one of the types of incentives to be considered when a development is proposed in the downtown area. He also sent a memo to the Mayor and City Council relaying the Board's three options for resolving the Bellevue issues.

Board Member Shapiro stated that the changes to subsection (A)(2) looks fine and suggested that "City Council" also be deleted on subsection (A)(3). Mr. Santaella suggested rewording subsection (A)(3) to read as follows:

"The Board may also make recommendations to the City Council and other boards and commissions on housing issues, including but not limited to, the following."

Board Member Roth explained that subsection (A)(1) refers to the existing stock and should remain where it is in the document. He noted that subsection (A)(2) refers more to the creation and development of workforce housing within the City and should be moved below subsection (A)(3) as a new (h) subparagraph.

Mr. Santaella confirmed that the existing subsection (A)(2) would be moved below subparagraph (A)(3)(g). He inquired whether the Board would like to add its definition of workforce housing to the Draft Ordinance.

Vice-Chair Cantor recalled that the Board previously supplied the definition to the Southern Scottsdale Community Area Plan Taskforce and requested that staff provide Mr. Santaella with a copy of that definition.

Board Member Puchek explained that the Board created the definition in order to get beyond the perception that affordable housing was only for low income citizens.

Mr. Santaella explained that he reworded subparagraph (A)(3)(b) to exclude the establishment of a Community Development Corporation because it was too specific. He noted that subparagraph (A)(3)(c) was rewritten to eliminate the reference to "investments in green design" in order to avoid conflicting with the Environmental Quality Advisory Board.

Board Member Roth suggested removing "to the Human Services Commission" from the subsection (A)(4) as well as moving subparagraph (A)(3)(e) down as a new subsection (A)(5) since it is something the Housing Board is being directed to do.

Mr. Santaella reported that there was a sunset provision requiring that before July 1, 2016 the Housing Board sunsets and City Council must make the decision to either allow the Board go into the sunset or renew it.

Board Member Roth recommended that "and housing choice voucher or any existing program" be added to the end of subsection (A)(4).

Mr. Santaella pointed out that the only item left to include in the Draft Ordinance was the inclusion of the definition of workforce housing.

Mr. Keagy stated that the following workforce housing definition was used in the Southern Scottsdale Area Plan which was adopted by City Council:

"A broad range of owner and renter residential housing located in or near employment centers and intended to appeal to essential workers in the community (i.e. police officers, firefighters, teachers, nurses, and medical technicians, knowledge and office workers, etc.)"

Mr. Santaella suggested that whenever an organization would like to adopt the definition it should be referred to "as defined in the Southern Scottsdale Character Area Plan" in order to eliminate listing the types of workers involved.

Vice-Chair Cantor explained that agenda items 4 through 6 would be continued to a future agenda. She directed staff to agendize a review of the Newly Drafted Ordinance for the Board's April 2011 meeting.

3. **DISCUSSION AND POSSIBLE BOARD ACTION ON A POLICY STATEMENT THAT PROVIDES SCOTTSDALE RESIDENTS A PRIORITY WHEN ACCESSING CDBG AND HOME RELATED ACTIVITIES** (Discussion and Possible Action Item)

Tabled.

4. **DISCUSSION AND POSSIBLE BOARD ACTION ON A POLICY PROCEDURE FOR PRIORITIZING CDBG AND HOME FUNDS FOR HOUSING RELATED ACTIVITIES** (Discussion and Possible Action Item)

Tabled.

5. **DISCUSSION AND POSSIBLE BOARD ACTION ON HOUSING BOARD RESPONSIBILITIES AND ACTIVITIES FOR 2011** (Discussion and Possible Action Item)

Tabled.

6. **STAFF AND COMMISSION UPDATES** (A.R.S. § 38-431.02(K))

Tabled.

7. **PUBLIC COMMENT** (A.R.S. § 38-431.02(K))

No member of the public wished to address the Board.

8. **FUTURE AGENDA ITEMS**

Tabled.

**9.     ADJOURNMENT**

With no further business to discuss, being duly moved and seconded, the meeting adjourned at 7:13 p.m.

Respectfully submitted,  
A/V Tronics, Inc. DBA AVTranz